

REMARKS

Claims 28, 32 and 33 are currently pending in the subject application upon entry of the amendments. A listing of the claims can be found on pages 2-4 of the Reply. Favorable reconsideration is respectfully requested in view of the amendments and following comments.

The Amendments

Claims 28 has been amended to incorporate the features of claim 30. Claim 30 has been cancelled. Claims 32 and 33 have been amended to account for the amendments to claim 28.

The Clarity Rejections

Claims 28, 30, 32-33 stand rejected under 35 U.S.C §112, first and second paragraphs regarding indefiniteness about what is encompassed by the phrase "a glycine derivative represented by formula (I)," and regarding support for the compounds encompassed by formula (I). Claim 28 has been amended to cancel reference to a glycine derivative represented by formula (I). Claim 28 now recites glycylglycine alone. Accordingly, the claims are now clear and concise such that one of ordinary skill in the art can understand the meets and bounds of the subject disclosure. Thus, withdrawal of the rejection is respectfully requested.

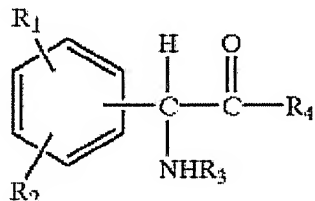
The Novelty Rejection

The rejection of claims 28, 30, 32-33 stand rejected under 35 U.S.C. §102(b) over Kyowa CA 79:22615a or CA93:210106, or Yu et al. US (6,824,786). Yu relates to the use of a phenyl-glycine compound or a derivative thereof (col. 2, line 30) for disturbed keratinization (col. 4, lines 1-2) or improving skin pores.

In order to establish anticipation a single cited art document must disclose each and every element of the subject claims.

Claim 28 recites *a method of shrinking a skin pore comprising **using glycylglycine in order to shrink the skin pore.*** Yu fails to disclose *a method of shrinking a skin pore comprising **using glycylglycine in order to shrink the skin pore.***

In particular, the phenyl-glycine compound disclosed in Yu is a compound that is different **glycylglycine**. In Yu, the phenyl glycine derivative is represented by the following formula:



In addition, Yu fails to disclose *using **glycylglycine in order to shrink the skin pore***. Further, Kyowa CA 79:22615a or CA93:210106 fail to make up for the deficiency of Yu with respect to the above noted elements of claim 28. Kyowa merely discloses employing glycylglycine as a skin preparation for external use. However, Kyowa fails to disclose employing glycylglycine in order to shrink a pore.

In view of the above, applicants representative respectfully submits that Yu, Kyowa CA 79:22615a or CA93:210106 fail to disclose each and every element of the claim 28, especially *using **glycylglycine in order to shrink the skin pore***. Accordingly, withdrawal of the rejection of claim 28 and claims 30 and 32-33 is respectfully requested.

The Obviousness Rejection

Claims 28, 30, 32-33 stand rejected under 35 U.S.C. §103(a) over JP 11-158055 in view of CA131:35667 or Yu et al. US 6,824,786.

As noted above, Yu fails to disclose *a method of shrinking a skin pore comprising using **glycylglycine in order to shrink the skin pore***. CA131:35667 and JP 11-158055 fail to make up for the deficiency of Yu with respect to the above noted feature.

It is described in JP11-158055 that a mixture of 2-hydroxyacetic acid and an amino acid such as glycine, L-alanine, L-serine, L-threonine, L-aspartic acid, L-glutamic acid, L-arginine, L-lysine, L-tryptophan, L-proline, glycylglycine, or trimethylglycine has a keratinization-normalizing effect and a skin roughness-ameliorating effect. However, a pore-shrinking effect is not described in JP11-158055. It is described in Tables 3-5 and [0011] in JP11-158055 that no improvement effect can be achieved for the multiple

delamination of keratin by using glycine alone, and that 2-hydroxyacetic acid is an essential component. This description suggests that a keratinization-normalizing effect cannot be obtained using amino acids alone. Accordingly, JP11-158055 contains a description that would not prompt one skilled in the art to attempt using glycyglycine, which is an amino acid, as a sole effective component in order to shrink skin pores.

In view of the above, assignee's representative respectfully submits that JP 11-158055 in view of CA131:35667 or Yu et al. US 6,824,786. fail to teach or suggest each and every element of the claim 28, especially *using **glycyglycine in order to shrink the skin pore***. Accordingly, withdrawal of the rejection of claim 28 and claims 30 and 32-33.

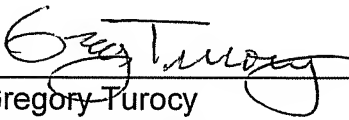
Petition for Extension of Time

A request for a three month extension of time is hereby made. Payment is being made through the EFS electronic filing system.

In the event any additional fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [IKUTP106US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
TUROCY & WATSON, LLP



Gregory Turocy
Reg. No. 36,952

127 Public Square
57th Floor, Key Tower
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731